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Attorney Docket No.: 021044-005510US

Assistant Commissioner for Patents
Washington, D.C. 20231

On

October 9, 2002

TOWNSEND and TOWNSEND and CREW-LLP

By:

[Signature]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ying LUO et al.

Application No.: 09/762,491

Filed: May 9, 2001

For: NOVEL APOPTOSIS PROTEINS

Examiner: Misook YU

Art Unit: 1642

RESPONSE TO RESTRICTION
REQUIREMENT

#17
EP
10442

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed August 13, 2002,
Applicants elect Group I, claims 1-20, 25 and 26.

The foregoing election is made with traverse, as the four groups set forth by the Examiner all stem from a common concept and theory, and involve related compounds and methods. As such, prosecution of the claims of Groups I-IV would not place a substantially greater burden on the Examiner. Applicants therefore respectfully request that the Examiner withdraw the Restriction Requirement and consider all the claims together.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a

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telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Annette S. Parent".

Annette S. Parent
Reg. No. 42,058

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